

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-43 are now present in the application. Claims 1-4, 8, 14-25, 27, 33-37 and 39-41 have been amended. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Allowable Subject Matter

The Examiner has indicated that dependent claims 12, 15, 17, 18, 21-23, 30, 32-37 and 39-43 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant greatly appreciates the indication of allowable subject matter by the Examiner. As will be explained below, all claims should now be in condition for allowance.

Interview With The Examiner

An interview was conducted with the Examiner in charge of the above-identified application on April 12, 2005. Applicant greatly appreciates the courtesy shown by the Examiner during the interview.

In the interview with the Examiner, Applicant's representative presented arguments with regard to the rejection under 35 U.S.C. § 103(a). Specifically, it was argued that Begum and Albuquerk fail to teach the step of "entering, at the display of the at least some of the receivers, a selection between the available transmitters" as recited in claim 1. The Examiner indicated that this argument seemed persuasive. This argument will be presented in the following remarks.

The Examiner also indicated his concern regarding the distinction between the claimed invention and the Local Area Network. Applicant respectfully submits that

amended claim 1 clearly defines over the Local Area Network concept. In particular, after selected, the access point only transmits the information prepared by the third parties. It cannot transmit local information, prepared by the selected access point itself or the owner/operator of the selected access point, dedicated to the locus within which the selected access point is placed as recited in claim 1.

In view of the foregoing amendments and the following remarks, Applicant respectfully submits that amended claim 1 clearly defines over the teachings of the references relied on by the Examiner.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-4, 6-11, 13, 16, 19, 20, 24-49, 31 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Begum, PCT Application Publication No. WO91/14984, in view of Albuquerk, U.S. Patent No. 5,929,848. Claims 5 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Begum in view of Albuquerk, and further in view of Tracy, U.S. Patent No. 5,979,757. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to recite a combination of steps including “entering, at the display of the at least some of the receivers, a selection between the available transmitters” and “thereby enabling the receivers to receive, from a selected transmitter, second information that is to be output, where at least part of said second information includes local information dedicated to the locus within which the selected transmitter is placed, the local information being prepared by the information provider of the first information”. Applicant respectfully submits that the above combination of steps

as set forth in amended independent claim 1 is not disclosed nor suggested by the references relied on by the Examiner.

The Examiner on page 3 of the instant Office Action correctly indicated that Begum fails to teach the step of “entering, at the display of the at least some of the receivers, a selection between the available transmitters” as recited in claim 1.

Albukerk also fails to cure the deficiencies of Begum. In particular, Albukerk teaches that the receiver 203 is configured to accept the strongest signal 109 transmitted from the object identification device 107 of the object 103 (see FIGs. 1 and 2; col. 9, lines 32-33). The display 215 then retrieves from the storage device 205 the displaying data (text and images) associated with the object 103, for which an object identification signal 109 is currently being received (see col. 11, lines 16-20). The display 215 merely displays the data associated with one object 103 (*i.e.*, one transmitter with the strongest signal 109). The receiver 203 accepts the strongest signal 109 from the object 103 based on the intensity of the signal 109, not based on the selection entered at the display. Accordingly, the user cannot enter, at the display of the receiver, the selection between transmitters as recited in claim 1.

The Examiner alleged in the instant Office Action that FIG. 5C of Albukerk shows the information for the user to select at the display. However, Albukerk merely uses FIG. 5C to teach that the user can use the touchscreen as an input device by touching various graphic and text items displayed thereon to operate a stored computer program controlling the processor 207 (see col. 11, lines 31-34 and 41-43). In other words, the selection of the various graphic and text items at the display is merely entered to select the programs stored in the personal interpretive device 101, not to select between the transmitters as recited in claim 1.

Since Begum and Albuquerk fail to teach the step of entering a selection between the available transmitters as recited in claim 1, they also fail to teach “thereby enabling the receivers to receive, from a selected transmitter, second information that is to be output, where at least part of said second information includes local information dedicated to the locus within which the selected transmitter is placed, the local information being prepared by the information provider of the first information” as recited in claim 1.

To further clarify the present invention, Applicant respectfully submits that the information providers via the transmitters can provide at least local information dedicated to the vicinity within which the transmitters are placed so that the user can select the information he/she is willing to receive. This feature is not shown in the utilized references.

With regard to the Examiner’s reliance on Tracy, this reference has only been relied on for its teachings related to the subject matter of dependent claims. This reference also fails to disclose the above combination of steps as set forth in amended independent 1. Accordingly, this reference fails to cure the deficiencies of Begum and Albuquerk.

Accordingly, none of the references utilized by the Examiner individually or in combination teach or suggest the limitations of amended independent claim 1 or its dependent claims. Therefore, Applicant respectfully submits that independent claim 1 and its dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

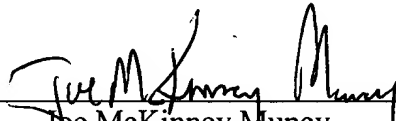
In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Joe McKinney Muncy
Reg. No. 32,334

KM/GH/mmi/asc
2921-0140P



P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000